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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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John M Lazarus
Foley & Lardner
Firststar Center
777 East Wisconsin Avenue
Milwaukee, WI 53202-5367

EXAMINER

LEE, MICHAEL

ART UNIT PAPER NUMBER

2614

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/868,536

Applicant(s)

MATHIAS ET AL.

Examiner

M. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-31 and 34-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6,8-31 and 34-36 is/are allowed.
- 6) ☒ Claim(s) 37-39, 42-51, 53 and 55 is/are rejected.
- 7) ☒ Claim(s) 40,41,52 and 54 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Due to new found prior art, the allowance of current application is withdrawn. The Office apologizes for any inconvenience to the applicant.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 37, 42-45, 47-51, and 53 are rejected under 35 U.S.C. 102(e) as being anticipated by Alioshin et al. (5,986,634).

Regarding claim 37, Alioshin discloses a housing attached to an interior portion of the vehicle (col. 3, line 66, col. 7, lines 23-27), a video player unit removably attachable to the housing for use in the vehicle or at a location spaced apart from the housing (col. 4, lines 11-13, , col. 7, lines 52-61, and Figure 4), the video player unit being capable of pivoting between a closed position and an open position when attached to the housing (col. 3, lines 58-61), and a power connector operatively coupled to the video player unit and adapted to interchangeably interface with one or more power sources (although not shown, the display system of Alioshin inherently includes a power connector, such as a plug-in female jack, for receiving power supply from different sources).

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Regarding claim 42, note disk drive 82.

Regarding claim 43, see LCD display 16.

Regarding claim 44, Alioshin inherently includes a latch mechanism for holding the LCD screen in the closed position as illustrated in Figure 1A (col. 3, lines 55-57) in order to prevent it from open.

Regarding claim 45, see IR receiver 28.

Regarding claim 47, see control buttons 26.

Regarding claims 48 and 49, the power source in Alioshin is coming from a rechargeable car battery.

Regarding claim 50, the housing in Alioshin is intended to attach to a headliner of the vehicle (col. 3, lines 67-68).

Regarding claim 51, see Figure 1B.

Regarding claim 53, a VCR has a tuner (col. 5, line 40).

4. Claims 37-39, 42-44, 47-49, 51, 53, and 55 are rejected under 35 U.S.C. 102(e) as being anticipated by Hall et al. (5,751,548).

Regarding claim 37, Hall discloses a docking station to be used in a vehicle showing a housing (42), an inherently included video player 12 (in col. 3, lines 53-55, Hall states that the docking station can be configured to adopt portable computers, notebook and laptop computers, which all includes CD-ROM or DVD-players), and a power connector (col. 3, lines 48-50).

Regarding claim 38, Hall shows a panel 24 pivotally attached (52) to the housing 42.

Regarding claim 39, Hall shows a first latch mechanism (44).

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Regarding claim 42, the portable computer in Hall has a digital disc player such as the CD-ROM or DVD drives.

Regarding claim 43, see screen 12.

Regarding claim 44, col. 5, lines 18-21.

Regarding claim 47, the control pen 13 provides a plurality of control functions.

Regarding claims 48 and 49, the power port 50 in Hall is intended to receive power supply from different sources, such as the household AC power or car DC power.

Regarding claims 51 and 53, a laptop or notebook is intended to place on any flat surfaces, such as a desk, a table, a person's lap, a television monitor, or a VCR.

Regarding claim 55, Hall shows a means for providing a housing in the vehicle (42), a means for removably attaching (44) a video player unit (12) to the housing, a means for controlling the operation of the video player unit (13), a means for providing power (50), a means for moving the video player unit from a closed position to an open position (col. 5, lines 18-21), and a means for positioning and operating the video player unit when the video player unit is used in the spaced apart location (detached keyboard 11).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to

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be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alioshin et al. (5,986,634) in view of Shimpuku et al. (5,745,582).

Regarding claim 46, Alioshin does not specify the infrared transmitter operable to send audio signals to remote locations as claimed. Shimpuku, from the similar field of endeavor, discloses an infrared transmitter for transmitting audio signal to a remote location. Such transmitter enables the viewer to hear the audio signal clearly from a distance by using an infrared receiving headphone without distracting others. Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include an infrared audio transmitter into Alioshin if audio noise is an issue.

Allowable Subject Matter

7. Claims 1-6, 8-31, and 34-36 are allowed.

8. Claims 40, 41, 52, 54 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Salomon (5,467,106) shows a retractable LCD monitor.

Shioya et al. (5,362,144) shows a pivotally mounted television set.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number 571-272-7349. The examiner can normally be reached on Monday through Thursday from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



M. Lee
Primary Examiner
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